

REMARKS

Claims 12, 13 and 23-27 are all the claims pending in the application. Applicants note with appreciation the indication of allowable subject matter in claims 13 and 27, but respectfully request reconsideration of the application and allowance of all claims in view of the following remarks.

The Section 112 rejection stated in paragraphs 1 and 2 of the Office action is respectfully traversed.

In the Background section of the present application, e.g., at lines 10-27 of page 3 and lines 14-17 of page 4, the inventors explain that the present invention deals with the Lockout of Working Channel (LKW) command sent by an operator to a node. On receipt of this command from the system operator, the node NE1 is placed in a Lockout of Working Channel state. As noted at lines 25-27 of page 3, if there is any traffic already under protection, the bridge will be suppressed.

As explained in the specification from line 31 of page 3 to line 13 of page 4, when a node NE1 detects a signal failure on the connection CNE incoming from the east side, node NE1 will ordinarily initiate a protection operation by which it sends bridge requests in the east direction to the node NE2 and in the west direction (toward the node NE6 in Fig. 1 but which will eventually reach the node NE2 travelling counterclockwise around the ring). The node NE2 will respond to the eastbound signal from NE1 with a reverse request back to NE1, and after receiving both the eastbound and westbound signals from NE1 will perform a bridge and switch operation. The

node NE1 on receiving the reverse request from NE2 will perform its bridge and switch operation.

As further explained at lines 13-21 of page 5, it would be desirable on receipt of a LKW signal to suppress the switch between the working and protection channels if the failure involves only the connection CNE, but to maintain the switch if the failure involves both the connection CNE and the connection CNU. So what the invention does is have the node NE1, on receipt of the LKW signal send a modified protection word to NE2 that notifies NE2 that NE1 is now in a LKW channel state, and then lets NE2 decide whether to suppress the bridge and switch (if the failure is unidirectional and effects only CNE) or to go forward with the switch (if the failure is bidirectional and affects both of CNE and CNU). This modified protection word is sent on the path most likely to be intact, i.e., in the direction away from the direction where the failure has been detected. In the case of Fig. 2, this means that the modified protection word is sent on the long path toward NE6 (Fig. 1) to travel around the ring to reach the NE2 from the east side.

Turning now to the language of claim 12, it first recites the step of detecting a failure affecting incoming and working protection channels on the east side of said one network element, this corresponding to the node NE1 detecting a failure on the connection CNE on its east side. The next step is the transmitting from the west side of said network element an indication of a performed ring switch, and this corresponds to the node NE1 sending the normal protection word on the long path from its west side.

The next recited step is the receiving of the suppression command, which corresponds to node NE1 receiving the LKW signal from the system operator as reflected by the dotted line in Fig. 2. The next step is the maintaining of the performed ring switch, which is self-explanatory.

The final step is the transmitting from said west side an indication of said performed ring switch and of said external command, and this corresponds to the node NE2 transmitting the modified protection word from its west side. Thus, instead of suppressing the switch on receiving the LKW command, the node NE1 maintains the switch and sends the modified protection word around the long path to the node NE2, to allow the node NE2 to decide whether to maintain or suppress the switch based on its better information regarding the state of the connection CNU.

As can be seen from the above explanation, the command referred to in claim 12 is indeed an external command from the system operator, and claims 12 and 23 are believed to be accurate. Accordingly, withdrawal of the Section 112 rejection is respectfully requested.

As to the rejection under the second paragraph of 35 USC 112 stated in paragraphs 3 and 4 of the Office action, the claim has been amended to clarify the antecedent basis.

The prior art rejection stated in paragraphs 6-11 of the Office action is respectfully traversed. Kremer discusses protection switching, but does not discuss a Lockout of Working Channel request signal or any other signal which could be interpreted as a command for suppressing the ring switch. The examiner has equated the claimed command with the failed attempt to send a line switch message, but a failed attempt does not constitute a command. Further, the examiner has overlooked that claims 12 and 23 recite the receiving of a command to suppress followed by the maintaining of the switch despite the suppression command. According to the reading proposed by the examiner, if 110 did not fail it would suppress switching, so this would mean that the successful transmission of the line switch message would be a suppression command, whereas the failure would be the absence of a suppression command.

Amendment Under 37 CFR 1.116
USSN 10/049,831

Whatever the interpretation, it is clear that Kremer does not teach the maintaining of the switch despite a command to suppress the switch.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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CUSTOMER NUMBER

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